

Unofficial translation

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**THE LAW OF THE REPUBLIC OF ARMENIA
ON MAKING AMENDMENTS TO THE RA CRIMINAL PROCEDURE CODE**

Article 1. To state articles 315 and 316 of the RA Criminal Procedure Code (01.07.1998) with the following edition:

“Article 315. Court session protocol

1. At the sessions of first instance, appellate and cassation courts, as well as outside court session when performing separate judicial actions, a protocol is conducted.

2. In case of a recording system being placed in the court room the protocol is conducted through the recording of the court session and simultaneous computer-based summary. The summary is the notes on actions taking place in the court room. The detailed procedure of utilization of the special computer recording system, archiving the data and keeping the system is established by the RA Ministry of Justice.

3. In case of absence of the special computer recording system or when performing separate judicial actions outside court session a protocol is conducted in the manner of simple paper protocol.

4. The simple paper protocol indicates:

- 1) the session place and date;
- 2) the beginning and the end of the session;
- 3) the case under consideration;
- 4) the name and composition of the court, the secretary, the interpreter, the accused, the defense counsel, the defendant, the injured party, the civil claimant, the civil defendant or their representatives, other persons summoned by the court, if they are present;
- 5) data on the identity of the defendant and the means to secure appearance;
- 6) the actions of the court in the order in which they took place;
- 7) statements and appeals made by the participants of the case;
- 8) those decrees of the court which were made without leaving for the conference room;
- 9) notes that the decrees were made in the conference room;
- 10) explanation of rights and duties to participants of the case;
- 11) the content of testimonies;
- 12) questions asked to the expert and his answers;

13) results of court examinations and other actions performed at court session aimed at collection of proofs;

14) the facts which the case participant asked to record in the protocol;

15) court deliberations and the defendant's last word briefly outlined;

16) information on declaration of the verdict and the deadlines and procedure of appeal;

17) information on the facts of disorder in the court room and disrespectful behavior towards the court, about the offender, and the punitive measures taken by the court;

18) information on clarification of the right of the case parties as well as other participants of the court process to familiarize themselves with the court session protocol and make comments on the protocol;

19) the content of the decisions stated as a separate court act;

20) the conclusive part of the ultimate court act.

5. The secretary of the court session makes a word for word protocol of information stipulated by sub-provisions 7, 8 and 11-20 of provision 4 of the given article.

6. The protocol is conducted by the secretary of the court session.

7. The simple paper protocol is conducted during the court in writing or through a computer. It is attached to the case files after being verified with the signatures of the chairman and the secretary.

8. In case of the conduct of a protocol through the special computer recording system the summary is made simultaneously by a computer manner. The recording is attached to the case files on a diskette. The summary is attached to the case files on papers after being verified with the signature of the secretary of the court session.

9. A copy of the computer protocol of the court session with its summary is provided on the basis of written application of case parties immediately after the court session.

10. In case of simple paper protocol of the court session the copy of the protocol is provided on the basis of written application of case parties no later than on the next day.

Article 316. Comments on court session protocol conducted in a simple written manner

1. The participants of the court process are entitled to familiarize themselves to the court session protocol conducted in a simple paper manner and present comments on its completeness or accuracy before the entry of the court verdict into the legal force.

2. The chairman who signed the protocol examines the comments to the protocol within three days after their submission.

3. The chairman makes a decision on confirmation or rejection of the comments to the protocol."

Article 2. The given law enters into force on 1 October 2005.

THE RA PRESIDENT

R. KOCHARYAN

4 August 2005

Yerevan